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EXAMINER				
MENDOZA, JUNIOR O				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary**Application No.**

10/656,687

Applicant(s)

THOMPSON, JAMES ALFRED

Examiner

JUNIOR O. MENDOZA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-854)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date 09/29/2003 3/19/2007

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1 – 7, 12 – 15, 19 – 21, 25 – 27, 30 and 33 – 39** are rejected under 35 U.S.C. 102(e) as being anticipated by Wheeler et al. (Pub No US 2004/0128508). Hereinafter referenced as Wheeler.

Regarding **claim 1**, Wheeler discloses

an authentication device obtaining authentication information from an authentication medium (Card reader [224] and card [22] which identifies a person [12] as exhibited on fig 10, paragraph [0022])

and an access control system operatively connected to an access administration system granting access to the cable distribution box when the authentication information is verified (The lock [228], which is connected to a card reader [224], is being controlled and actuated by the access authentication component [16], which

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provides both authentication and grants access, paragraph [0095], also exhibited on fig 10)

wherein the access administration system operatively connected to the authentication device for verifying the authentication information (The access authentication component [16] authenticates the requesting entity [12], paragraph [0095] also exhibited on fig 10)

and collecting work log data (Record [24] in database [26] contains information on transactions done by requesting entity [12], paragraph [0077] also exhibited on fig 10)

Regarding **claim 2**, Wheeler discloses everything claimed as applied above (See claim 1), in addition, Wheeler discloses

a lock operatively connected to the access control system unlocking the cable distribution box when access to the cable distribution box has been granted (Lock [228] being controlled/actuated by the access authentication component [16], paragraph [0095] also exhibited on fig 10).

Regarding **claim 3**, Wheeler discloses everything claimed as applied above (See claim 1), in addition, Wheeler discloses

a communication device operatively connected to the access control system providing communication services between the access control system and the access

administration system (Communication medium [20], such as the internet, intranet or physical wiring, paragraph [0059] also exhibited on fig 10).

Regarding **claim 4**, Wheeler discloses everything claimed as applied above (See claim 1), in addition, Wheeler discloses

wherein the communication device is at least one selected from the group consisting of a communication adapter and a cable modem (Communication medium [20], such as the internet, intranet or physical wiring, paragraph [0059] also exhibited on fig 10, where it is inherent that an internet connection between two points includes a modem that will perform such communication).

Regarding **claim 5**, Wheeler discloses everything claimed as applied above (See claim 1), in addition, Wheeler discloses

wherein the access administration system comprises at least one selected from the group consisting of access administration hardware, access administration software, and firmware (Access authentication component [16], paragraph [0095] also exhibited on fig 10).

Regarding **claim 6**, Wheeler discloses everything claimed as applied above (See claim 1), in addition, Wheeler discloses

wherein the access control system comprises at least one selected from the group consisting of access control software, access control hardware, and firmware

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(Requesting entity [12] gains access through card reader [224], paragraph [0095] also exhibited on fig 10).

Regarding **claim 7**, Wheeler discloses everything claimed as applied above (See claim 1), in addition, Wheeler discloses

wherein the authentication device is a card reader and the authentication medium is an access card (Requesting entity [12] gains access through card reader [224] by presenting card [22], paragraph [0095] also exhibited on fig 10).

Regarding **claim 12**, Wheeler discloses everything claimed as applied above (See claim 1), in addition, Wheeler discloses

wherein the access administration system verifies the authentication information using a request-response authentication method (An electronic communication [EC] is considered to be any communication in electronic form, where an EC can represent for example a request for access to information, paragraph [0008]; moreover, granting access in response to authenticating the requesting entity, refer to claim 6).

Regarding **claim 13**, Wheeler discloses everything claimed as applied above (See claim 1), in addition, Wheeler discloses

wherein the access administration system verifies the authentication information using a challenge-response authentication method (The authentication factors of the

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system [160] requires knowledge of secret confidential information such as a PIN number, paragraph [0086]).

Regarding **claim 14**, Wheeler discloses everything claimed as applied above (See claim 1), in addition, Wheeler discloses

wherein communication between the authentication device and the access control system is encrypted (Transmission of personal information requires encryption, paragraph [0012]).

Regarding **claim 15**, Wheeler discloses everything claimed as applied above (See claim 1), in addition, Wheeler discloses

wherein communication between the access administration system and the access control system is encrypted (Transmission of personal information requires encryption, paragraph [0012]).

Regarding **claim 19**, Wheeler discloses

an authentication device obtaining authentication information from an authentication medium (Card reader [224] and card [22] which identifies a person [12] as exhibited on fig 10, paragraph [0022]);

a memory operatively connected to the authentication device comprising verification information and work log data (Record [24] in database [26] contains

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information on transactions done by requesting entity [12], paragraph [0077] also exhibited on fig 10);

and an access control system operatively connected to the authentication device and the memory, using the verification information and the authentication information to determine whether to grant access to the cable distribution box (The lock [228], which is connected to a card reader [224], is being controlled and actuated by the access authentication component [16], which provides both authentication and grants access, paragraph [0095], also exhibited on fig 10).

Regarding **claim 20**, Wheeler discloses everything claimed as above (see claim 19); in addition, claim 20 incorporates all the limitations of claim 2. Therefore, claim 20 stands rejected for the same reasons as stated above (see claim 2) since it is inherent to the apparatus claimed in claim 2.

Regarding **claim 21**, Wheeler discloses everything claimed as above (see claim 19); in addition, claim 21 incorporates all the limitations of claim 7. Therefore, claim 21 stands rejected for the same reasons as stated above (see claim 7) since it is inherent to the apparatus claimed in claim 7.

Regarding **claim 25**, Wheeler discloses everything claimed as above (see claim 19); in addition, claim 25 incorporates all the limitations of claim 12. Therefore, claim 25

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stands rejected for the same reasons as stated above (see claim 12) since it is inherent to the apparatus claimed in claim 12.

Regarding **claim 26**, Wheeler discloses everything claimed as above (see claim 19); in addition, claim 26 incorporates all the limitations of claim 13. Therefore, claim 26 stands rejected for the same reasons as stated above (see claim 13) since it is inherent to the apparatus claimed in claim 13.

Regarding **claim 27**, Wheeler discloses everything claimed as above (see claim 19); in addition, claim 27 incorporates all the limitations of claim 14. Therefore, claim 27 stands rejected for the same reasons as stated above (see claim 14) since it is inherent to the apparatus claimed in claim 14.

Regarding **claim 30**, Wheeler discloses the method of
obtaining authentication information from an authentication medium (Card reader [224] and card [22] which identifies a person [12] as exhibited on fig 10, paragraph [0022]);
sending an access request to an access administration system, wherein the access request comprises the authentication information (Communication medium [20], such as the internet, intranet or physical wiring, which sends authentication information to account authority [11], paragraph [0059] also exhibited on fig 10);

verifying the access request (The access authentication component [16] authenticates the requesting entity [12], paragraph [0095] also exhibited on fig 10);

generating a work log associated with the access request (Record [24] in database [26] contains information on transactions done by requesting entity [12], paragraph [0077] also exhibited on fig 10);

and granting access to the cable distribution box if the access request is verified (The lock [228], which is connected to a card reader[224], is being controlled and actuated by the access authentication component [16], which provides both authentication and grants access, paragraph [0095], also exhibited on fig 10).

Regarding **claim 33**, Wheeler discloses everything claimed as above (see claim 30); in addition, claim 33 incorporates all the limitations of claim 2. Therefore, claim 33 stands rejected for the same reasons as stated above (see claim 2) since it is inherent to the apparatus claimed in claim 2.

Regarding **claim 34**, Wheeler discloses everything claimed as above (see claim 30); in addition, claim 34 incorporates all the limitations of claims 14 and 15. Therefore, claim 34 stands rejected for the same reasons as stated above (see claims 14 and 15) since it is inherent to the apparatus claimed in claims 14 and 15, respectively.

Regarding **claim 35**, Wheeler discloses everything claimed as above (see claim 30); in addition, claim 35 incorporates all the limitations of claim 5. Therefore, claim 35 stands rejected for the same reasons as stated above (see claim 5) since it is inherent to the apparatus claimed in claim 5.

Regarding **claim 36**, Wheeler discloses everything claimed as above (see claim 30); in addition, claim 36 incorporates all the limitations of claim 1. Therefore, claim 36 stands rejected for the same reasons as stated above (see claim 1) since it is inherent to the apparatus claimed in claim 1.

Regarding **claim 37**, Wheeler discloses everything claimed as above (see claim 36); in addition, claim 37 incorporates all the limitations of claim 6. Therefore, claim 37 stands rejected for the same reasons as stated above (see claim 6) since it is inherent to the apparatus claimed in claim 6.

Regarding **claim 38**, Wheeler discloses everything claimed as above (see claim 36); in addition, claim 38 incorporates all the limitations of claim 16. Therefore, claim 38 stands rejected for the same reasons as stated above (see claim 16) since it is inherent to the apparatus claimed in claim 16.

Regarding **claim 39**, Wheeler discloses everything as claimed; in addition, claim 39 incorporates all the limitations of claims 1, 2, 12 and 13. Therefore, claim 39 stands rejected for the same reasons as stated above (see claims 1, 2, 12 and 13) since it is inherent to the apparatus claimed in claims 1, 2, 12 and 13, respectively.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 8, 9, 10, 22 and 23** are rejected under 35 U.S.C. 103(a) as being unpatentable over Wheeler in view of Harold et al. (Patent No US 6,472,973). Hereinafter referenced as Harold.

Regarding **claim 8**, Wheeler discloses everything claimed as applied above (See claim 7), in addition, Wheeler discloses a requesting entity [12] that gains access through card reader [224]; paragraph [0095] also exhibited on fig 10, which reads on "access administration system".

It is noted that Wheeler fails to explicitly disclose that the access administration system includes functionality to disable the access card. However, the examiner maintains that it was well known in the art to provide such element, as taught by Harold.

In a similar field of endeavor Harold discloses that the access administration system includes functionality to disable the access card (Stolen or lost keys could be disabled where a real time database of activity can be established; column 5 lines 24-26).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler by specifically providing such element, as taught by Harold, for the purpose of avoiding access of unwanted people to the cable box, where disabling the card is a fast and efficient way to do so.

Regarding **claim 9**, Wheeler discloses everything claimed as applied above (See claim 1), in addition, Wheeler discloses a requesting entity [12] that gains access through card reader [224]; paragraph [0095] also exhibited on fig 10, which reads on "access administration system".

It is noted that Wheeler fails to explicitly disclose that the access administration system collects the authentication information. However, the examiner maintains that it was well known in the art to provide such element, as taught by Harold.

In a similar field of endeavor Harold discloses that the access administration system collects the authentication information (Lock box collects history from the

access key pad and then transmits such information to a receiver, column 2 lines 26-34).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler by specifically providing such element, as taught by Harold, for the purpose of collecting data that will allow the company to keep a record of who has had access to their equipment.

Regarding **claim 10**, Wheeler discloses everything claimed as applied above (See claim 1), in addition, Wheeler discloses a requesting entity [12] that gains access through card reader [224]; paragraph [0095] also exhibited on fig 10, which reads on "access administration system".

It is noted that Wheeler fails to explicitly disclose that the access administration system generates a work log from the authentication information and the work log data. However, the examiner maintains that it was well known in the art to provide such element, as taught by Harold.

In a similar field of endeavor Harold discloses that the access administration system generates a work log from the authentication information and the work log data (Lock box collects history from the access key pad and then transmits such information to a receiver, column 2 lines 26-34; moreover, the data transmitted from the lock box through the transmitter includes the agent number, time and date of entry, column 2 lines 40-43).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler by specifically providing such element, as taught by Harold, for the purpose of collecting data that will allow the company to keep a record of who has had access to their equipment.

Regarding **claim 22**, Wheeler discloses everything claimed as above (see claim 19); in addition, claim 22 incorporates all the limitations of claim 9. Therefore, claim 22 stands rejected for the same reasons as stated above (see claim 9) since it is inherent to the apparatus claimed in claim 9.

Regarding **claim 23**, Wheeler discloses everything claimed as above (see claim 22); in addition, claim 23 incorporates all the limitations of claim 10. Therefore, claim 23 stands rejected for the same reasons as stated above (see claim 10) since it is inherent to the apparatus claimed in claim 10.

5. **Claims 11, 24, 31 and 32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Wheeler in view of Harold and further in view of Naidoo et al. (Pub No US 2002/0147982). Hereinafter referenced as Naidoo.

Regarding **claim 11**, Wheeler and Harold discloses everything claimed as applied above (See claim 10), in addition, Wheeler discloses that the access administration system includes functionality to analyze the work log to determine whether a response is required (If the card does not match the database [26] then a rejection is sent and an internal security alarm could also be generated to be used by system [80], paragraph [0081]).

It is noted that Wheeler and Harold fail to explicitly disclose the functionality to send an alert to an appropriate entity if the response is required. However, the examiner maintains that it was well known in the art to provide such element, as taught by Naidoo.

In a similar field of endeavor Naidoo discloses the functionality to send an alert to an appropriate entity if the response is required (If the alarm signal is deemed not to be a false alarm, a notification to the customer and the appropriate authorities is send, where such appropriate authorities may include the police department, emergency medical dispatch of any other public safety agency, paragraph [0076])

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler and Harold by specifically providing

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such element, as taught by Naidoo, for the purpose of notifying the company and the police about a possible unauthorized access to the cable box.

Regarding **claim 24**, Wheeler discloses everything claimed as above (see claim 23); in addition, claim 24 incorporates all the limitations of claim 11. Therefore, claim 24 stands rejected for the same reasons as stated above (see claim 11) since it is inherent to the apparatus claimed in claim 11.

Regarding **claim 31**, Wheeler discloses everything claimed as above (see claim 30); in addition, claim 31 incorporates all the limitations of claim 11. Therefore, claim 31 stands rejected for the same reasons as stated above (see claim 11) since it is inherent to the apparatus claimed in claim 11.

Moreover, Wheeler discloses a record [24] in database [26] which contains information on transactions done by requesting entity [12], paragraph [0077] also exhibited on fig 10; also a communication medium [20], such as the internet, intranet or physical wiring, which sends information about each request, paragraph [0059] also exhibited on fig 10; which reads on "uploading the work log to the access administration system".

Regarding **claim 32**, Wheeler and Harold discloses everything claimed as applied above (See claim 30), However, it is noted that Wheeler and Harold fail to explicitly disclose the method of continuously monitoring the cable distribution box to determine the status. However, the examiner maintains that it was well known in the art to provide such element, as taught by Naidoo.

In a similar field of endeavor Naidoo discloses the method of continuously monitoring the cable distribution box to determine the status (A security system for continuously providing security monitoring services to costumer, paragraph [0016])

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler and Harold by specifically providing such element, as taught by Naidoo, for the purpose of keeping control at all times of who has access to the cable box.

6. **Claims 16, 17 18, 28 and 29** are rejected under 35 U.S.C. 103(a) as being unpatentable over Wheeler in view of Doll et al. (Patent No US 5,694,398). Hereinafter referenced as Doll.

Regarding **claim 16**, Wheeler discloses everything claimed as applied above (See claim 1), in addition, Wheeler discloses

a access administration system(The access authentication component [16] authenticates the requesting entity [12], paragraph [0095] also exhibited on fig 10),

and the access control system (The lock [228], which is connected to a card reader[224], is being controlled and actuated by the access authentication component [16], which provides both authentication and grants access, paragraph [0095], also exhibited on fig 10).

It is noted that Wheeler fails to explicitly disclose that the authentication device, the access administration system, and the access control system are powered using current obtained from a cable line operatively connected to the cable distribution box. However, the examiner maintains that it was well known in the art to provide such element, as taught by Doll.

In a similar field of endeavor Doll discloses that the authentication device, the access administration system, and the access control system are powered using current obtained from a cable line operatively connected to the cable distribution box (Remote field units in a telecommunication network, such as a cable distribution box and its components, are supplied power through the network termination arrangement NTE, column 3 lines 30-37 also exhibited on fig 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler by specifically providing such element, as taught by Doll, for the purpose of powering up the device at all times without the need for batteries, which will cause the device to be more effective and reliable.

Regarding **claim 17**, Wheeler discloses everything claimed as applied above (See claim 2), in addition, Wheeler discloses a lock [228] being controlled/actuated by

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the access authentication component [16], paragraph [0095] also exhibited on fig 10, which reads on "lock".

It is noted that Wheeler fails to explicitly disclose that the lock is powered using current obtained from a cable line operatively connected to the cable distribution box. However, the examiner maintains that it was well known in the art to provide such element, as taught by Doll.

In a similar field of endeavor Doll discloses that the lock is powered using current obtained from a cable line operatively connected to the cable distribution box (Remote field units in a telecommunication network, such as a cable distribution box and its components, are supplied power through the network termination arrangement NTE, column 3 lines 30-37 also exhibited on fig 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler by specifically providing such element, as taught by Doll, for the purpose of powering up the device at all times without the need for batteries, which will cause the device to be more effective and reliable.

Regarding **claim 18**, Wheeler discloses everything claimed as applied above (See claim 3), in addition, Wheeler discloses a communication medium [20], such as the internet, intranet or physical wiring, paragraph [0059] also exhibited on fig 10),, which reads on "communication device ".

It is noted that Wheeler fails to explicitly disclose that the communication device is powered using current obtained from a cable line operatively connected to the cable

distribution box. However, the examiner maintains that it was well known in the art to provide such element, as taught by Doll.

In a similar field of endeavor Doll discloses that the communication device is powered using current obtained from a cable line operatively connected to the cable distribution box (Remote field units in a telecommunication network, such as a cable distribution box and its components, are supplied power through the network termination arrangement NTE, column 3 lines 30-37 also exhibited on fig 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler by specifically providing such element, as taught by Doll, for the purpose of powering up the device at all times without the need for batteries, which will cause the device to be more effective and reliable.

Regarding **claim 28**, Wheeler discloses everything claimed as above (see claim 19); in addition, claim 28 incorporates all the limitations of claim 16. Therefore, claim 28 stands rejected for the same reasons as stated above (see claim 16) since it is inherent to the apparatus claimed in claim 16.

Regarding **claim 29**, Wheeler discloses everything claimed as above (see claim 20); in addition, claim 29 incorporates all the limitations of claim 17. Therefore, claim 29 stands rejected for the same reasons as stated above (see claim 17) since it is inherent to the apparatus claimed in claim 17.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JUNIOR O. MENDOZA whose telephone number is (571)270-3573. The examiner can normally be reached on Monday - Thursday 8am - 5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jefferey Harold can be reached on 571-272-7519. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Junior O Mendoza
Examiner
Art Unit 4115

/J. O. M./
December 4, 2007
/Jefferey F Harold/
Supervisory Patent Examiner, Art Unit 4115